4. Orders Ermioni Komninou, Grigorios Ntokos, Donatos Pappas, Vassileios Pappas, Aristeidis Pappas, Eleftheria Pappa, Lamprini Pappa, Eirini Pappa, Alexandra Ntokou, Fotios Dimitriou, Zoï Dimitriou, Petros Bolossis, Despoina Bolossi and Konstantinos Bolossis, Thomas Bolossis to pay the costs at first instance. The costs of the proceedings at first instance leading to the order of the Court of First of the European Communities of 13 January 2006, *Komninou and Others* v *Commission* (T-42/04), shall be borne in the manner set out in paragraph 2 of the operative part of that order.

Judgment of the Court (Fourth Chamber) of 25 October 2007 — Blom v Council and Commission

(Case C-344/06 P)

Appeal — Action for damages — Non-contractual liability — Milk — Additional levy — Reference quantity — Producers who entered into a non-marketing undertaking — SLOM 1983 producers — Failure to resume production on expiry of the undertaking

1. *Non-contractual liability — Conditions — Unlawful conduct of the institutions (Art. 288, second para., EC; Council Regulation No 857/84) (see paras 41-43)*

2. *Agriculture — Common organisation of the markets — Milk and milk products — Additional levy on milk (Council Regulation No 857/84) (see paras 48, 49, 51)*

3. *Appeals — Grounds — Mistaken assessment of the facts — Inadmissibility — Review by the Court of Justice of the assessment of the evidence — Possible only where the clear sense of the evidence has been distorted (Art. 225 EC; Statute of the Court of Justice, Art. 58, first para.) (see para. 58)*

4. *Procedure — Statement of reasons for judgments — Scope (see para. 70)*

5. *Non-contractual liability — Conditions — Unlawful conduct of the institutions (Art. 288, second para., EC; Council Regulations No 2187/93 and No 2330/98) (see paras 50, 51, 79, 80, 92, 94, 104)*

Re:

APPEAL against the judgment of the Court of First Instance (Fifth Chamber) of 30 May 2006 in Case T-87/94 *Blom* v *Council and Commission* by which the Court dismissed an application for compensation under Article 178 of the EC Treaty (now Article 235 EC) and the second paragraph of Article 215 of the EC Treaty (now the second paragraph of Article 288 EC) for the loss allegedly suffered as a result of the applicant's being prevented from marketing milk pursuant to Council Regulation (EEC) No 857/84 of 31 March 1984 adopting general rules for the application of the levy referred to in Article 5c of Regulation (EEC) No 804/68 in the milk and milk products sector (OJ 1984 L 90, p. 13), as amended by Commission Regulation (EEC) No 1371/84 of 16 May 1984 laying down detailed rules for the application of the additional levy referred to in Article 5c of Regulation No 804/68 (OJ 1984 L 132, p. 11).

Operative part

The Court:

1. Dismisses the appeal;

2. Orders Mr Blom to pay the costs.